

**NO. 451**

**SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS**

**April 1, 2004**

**MINUTES**

**THE FOLLOWING MINUTES ARE A SUMMARY OF ACTIONS TAKEN BY THE REGIONAL COUNCIL. AUDIO CASSETTE TAPE OF THE ACTUAL MEETING IS AVAILABLE FOR LISTENING IN SCAG'S OFFICE.**

The Regional Council of the Southern California Association of Governments held its meeting at the SCAG Offices downtown Los Angeles. The meeting was called to order by the President, Councilmember Bev Perry, City of Brea. There was a quorum.

**Members Present**

Councilmember Bev Perry, Brea, President	District 22
Councilmember Ron Roberts, Temecula, 1 <sup>st</sup> VP	District 5
Supervisor Hank Kuiper, Imperial County, 2 <sup>nd</sup> VP	
Supervisor Marion Ashley, Riverside County	
Supervisor Paul Biane, San Bernardino County	
Supervisor Yvonne Burke, LA County	
Supervisor Chirs Norby, Orange County	
Councilmember Greg Pettis, Cathedral City	District 2
Councilmember Bonnie Flickinger, Moreno Valley	District 3
Mayor Lee Ann Garcia, Grand Terrace	District 6
Councilmember Susan Longville, San Bernardino	District 7
Mayor Bill Alexander, Rancho Cucamonga	District 9
Mayor Gary Ovitt, Ontario	District 10
Mayor Lawrence Dale, Barstow	District 11
Councilmember Cathryn De Young, Laguna Niguel	District 12
Councilmember Richard Dixon, Lake Forest	District 13
Councilmember Tod Ridgeway, Newport Beach	District 14
Councilmember Lou Bone, Tustin	District 17
Councilmember Alta Duke, La Palma	District 18
Councilmember Ron Bates, Los Alamitos	District 20
Councilmember Art Brown, Buena Park	District 21
Councilmember Paul Bowlen, Cerritos	District 23
Councilmember Gene Daniels, Paramount	District 24
Councilmember Keith McCarthy, Downey	District 25
Councilmember Isadore Hall, Compton	District 26
Councilmember Frank Gurule, Cudahy	District 27
Councilmember Judy Dunlap, Inglewood	District 28
Councilmember Bonnie Lowenthal, Long Beach	District 29
Councilmember Tonia Reyes-Uranga, Long Beach	District 30

### **Members Present – Cont'd**

Mayor Pro Tem Bea Proo, Pico Rivera	District 31
Councilmember Margaret Clark, Rosemead	District 32
Councilmember Dick Stanford, Azusa	District 33
Councilmember Paul Talbot, Alhambra	District 34
Councilmember Harry Baldwin, San Gabriel	District 35
Councilmember Sid Tyler, Pasadena	District 36
Councilmember Tom Sykes, Walnut	District 37
Councilmember Llewellyn Miller, Claremont	District 38
Councilmember Paul Nowatka, Torrance	District 39
Mayor Pro Tem Sandra Jacobs, El Segundo	District 40
Councilmember Pam O'Connor, Santa Monica	District 41
Councilmember Bob Yousefian, Glendale	District 42
Councilmember Mike Dispenza, Palmdale	District 43
Councilmember Dennis Washburn, Calabasas	District 44
Mayor Toni Young, Port Hueneme	District 45
Councilmember Glen Becerra, Simi Valley	District 46
Councilmember Carl Morehouse, San Buenaventura	District 47
Councilmember Greig Smith, Los Angeles	District 59
Councilmember Thomas Buckley, Lake Elsinore	District 63
Councilmember Debbie Cook, Huntington Beach	District 64
Councilmember Robin Lowe, Hemet	RCTC

### **Members Not Present**

Supervisor Judy Mikels, Ventura County	
Supervisor Zev Yaroslavsky, LA County	
Councilmember Jo Shields, Brawley	District 1
Mayor Ron Loveridge, Riverside	District 4
Councilmember Deborah Robertson, Rialto	District 8
Councilmember Richard Chavez, Anaheim	District 19
Councilmember Ed Reyes, Los Angeles	District 48
Councilmember Wendy Greuel, Los Angeles	District 49
Councilmember Dennis Zine, Los Angeles	District 50
Councilmember Tom LaBonge, Los Angeles	District 51
Councilmember Jack Weiss, Los Angeles	District 52
Councilmember Tony Cardenas, Los Angeles	District 53
Councilmember Alex Padilla, Los Angeles	District 54
Councilmember Bernard Parks, Los Angeles	District 55
Councilmember Jan Perry, Los Angeles	District 56
Councilmember Nate Holden, Los Angeles	District 57
Councilmember Cindy Miscikowski, Los Angeles	District 58
Councilmember Eric Garcetti, Los Angeles	District 60
Councilmember Antonio Villariagosa, Los Angeles	District 61
Councilmember Janice Hahn, Los Angeles	District 62
Councilmember Ted Burgnon, Town of Apple Valley	District 65
Mayor James Hahn, Los Angeles	At-Large

**Staff Present**

Mark Pisano, Executive Director  
Jim Gosnell, Deputy Executive Director  
Bert Becker, Chief Financial Officer  
Colin Lennard, General Counsel  
Karen Tachiki, Chief Counsel  
Hasan Ikrata, Director, Planning & Policy  
Jim Sims, Director, Information Services  
Shelia Stewart, Executive Assistant

**1.0 CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Led by Mayor Lee Ann Garcia, City of Grand Terrace.

**2.0 PUBLIC COMMENT PERIOD**

Councilmember Perry stated that comments regarding the Regional Transportation Plan (RTP) will be heard during RTP presentation. Carol Hossan, Westchester resident, commented that as SCAG consider approval of projects she hoped that all cities be treated in an equitable manner.

**SPECIAL PRESENTATION**

President Perry recognized Jim Sims for his many years of service and presented a plaque upon his retirement.

**3.0 CONSENT CALENDAR**

Item 3.1.2 was pulled for discussion. The following consent calendar items were MOVED (Roberts) , SECONDED (Kuiper) and APPROVED.

**3.1 Approval Items**

**3.1.1 Approve Minutes of March 4, 2004**

Councilmember Yousefian abstained. It was noted that Councilmember Tyler attended the meeting.

**Pulled**

**3.1.2 Approve Proposed Date, Location & Budget for SCAG's 2004 Retreat**

Mayor Young stated that in the past the retreat has always been held on a Thursday & Friday. However this year it has been scheduled for Wednesday & Thursday. Due to city council commitments, she asked if the retreat could be held on Thursday, June 3 and Friday, June 4, instead of Wednesday, June 2 & Thursday, June 3.

A poll of the members were taken. As a result of the poll, it was decided that the retreat would be held on Wednesday & Thursday.

### **3.2 Receive & File**

#### **3.2.1 Contracts & PO between \$5,000 - \$25,000**

#### **3.2.2 Conflict of Interest Listing**

### **3.3 PRESIDENT'S REPORT**

#### **3.3.1 Appointments**

District # 2	Hon. Greg Pettis, Cathedral City (Re-elected)
District # 12	Hon. Cathryn De Young, Laguna Niguel (Re-elected)
District # 14	Hon. Tod Ridgeway, Newport Beach (Re-elected)
District # 18	Hon. Alta Duke, La Palma (Re-elected)
District # 20	Hon. Ron Bates, Los Alamitos (Re-elected)
District # 22	Hon. Bev Perry, Brea (Re-elected)
District # 32	Hon. Margaret Clark, Rosemead (Re-elected)
District # 34	Hon. Paul Talbot, Alhambra (Re-elected)
District # 36	Hon. Sid Tyler, Pasadena (Re-elected)
District # 38	Hon. Llewellyn Miller, Claremont (Re-elected)
District # 40	Hon. Sandy Jacobs, El Segundo (Re-elected)
District # 42	Hon. Bob Yousefian, Glendale (Re-elected)
District # 44	Hon. Dennis Washburn, Calabasas (Re-elected)
District # 46	Hon. Glen Becerra, Simi Valley (Re-elected)

#### **Subregional Representatives to Policy Committees**

Representing San Gabriel Valley COG:

To CEHD      Hon. Mary Ann Lutz, Monrovia

Representing Orange County COG

To CEHD:      Hon. Doug Davert, Tustin

Hon. Gil Coerper, Huntington Beach

Hon. Marilyn Poe, Los Alamitos

To TCC:      Hon. Bob Hernandez, Anaheim

#### **Water Policy Task Force**

Larry McKenney, Manager of Watershed and Coastal Resources, County of Orange

### **3.4 EXECUTIVE COMMITTEE REPORT**

#### Recommendation re: Executive Director's Compensation

It was MOVED (Perry), SECONDED with one OPPOSITION (Norby) to approve the Executive Director's compensation as presented.

### **3.5 NOMINATING COMMITTEE REPORT**

Supervisor Hank Kuiper, chair, reported that the Nominating Committee met on March 23, 2004. The committee reviewed historical documentation and regional rotation of SCAG presidents. After discussion and reviewing the materials the committee nominated Mayor Toni Young, Port Hueneme as 2<sup>nd</sup> Vice President. Members serving on the committee are: Supervisor Paul Biane, San Bernardino; Supervisor Yvonne Burke, Los Angeles; Councilmember Glen Becerra, Simi Valley; Councilmember Alta Duke, La Palma, Vice Mayor Robin Lowe, Hemet, and Supervisor Hank Kuiper, Imperial County.

In addition, it was announced that Councilmember Ron Roberts, Temecula, was nominated as President and Supervisor Hank Kuiper was nominated as 1<sup>st</sup> Vice President.

It was MOVED (Lowe), SECONDED (Daniels) and UNANIMOUSLY APPROVED to accept the nomination.

### **3.6 BYLAWS COMMITTEE REPORT**

Councilmember Dixon, Chair, stated that the Bylaws Committee met on several occasions to review and discuss amending the SCAG Bylaws to be presented to the Regional Council for approval and forward to the General Assembly for consideration. A summary of those amendments are as follows:

#### **ARTICLE III- MEMBERSHIP AND REPRESENTATION FOR THE GENERAL ASSEMBLY:**

**Article III A (3) Membership Section:** changes the previous provision which had allowed a 6 month grace period in which to pay dues to essentially a three month period, during which time the General Assembly Representative serves in an ex-officio capacity and does not have the right to vote. If the assessment is not paid by January 30 then it is deemed to be an automatic withdrawal from membership. Previously, the delinquency provision allowed a member to go for a period of two General Assemblies before withdrawal was deemed automatic. This proposed change recognizes the importance of a timely commitment evidenced by the payment of the annual dues.

**Article III B (2):** change recognizes that the Regional Council member shall be the General Assembly Representative unless the City does not have a Regional Council member, in that event, the representative is designated by the city council. This does not apply to the City of Los Angeles.

## **ARTICLE V-REGIONAL COUNCIL**

**Article V A (1) Membership:** the sections relating to the establishment of districts have been changed to emphasize that the criteria for the establishment of districts should reflect a geographic community of interest and be comprised of districts of approximately equal population. This change deletes the requirement that districts have a population of approximately 250,000. It is also proposed that the number of districts be limited to 67.

These changes recognize the expected population growth in the region and the practical physical limitations of the meeting room.

The proposed changes also have the Regional Council review every five years the composition of the Districts to ascertain if any changes should be made. The review would utilize city population data from the Department of Finance. In order to provide an orderly transition to this new criteria, if approved at the General Assembly, the Regional Council would immediately undertake a review of the districts, make any necessary changes and then the reviews would occur in years ending in 3 or 8 thereafter. The proposal also accounts for the possibility that special district elections might be required to accommodate any changes in the districts.

**Article V (A)(1)(b) District Elections:** Proposed change would provide the subregion the discretion to allow a city who is located a substantial distance from the place where the election is to be held, to participate by videoteleconference or other telephonic means pursuant to procedures adopted by the Regional Council. This proposed change provides flexibility in election process to account for differing conditions in the subregions, while maintaining the integrity of the election process.

An additional change now defines eligible candidates to be all locally elected officials and there is no requirement that an eligible candidate be a member of the governing board of a subregional organization

**Article V-(A)(1)(c) Regional Council Representation:** Proposed change to reduce the period in which a city can be delinquent in the payment of dues to 3 months from the current 6 months.

This change is consistent with the payment of dues for membership in the General Assembly.

**Article V(A)(4) Regional Council Duties:** Proposed change to reflect that the Regional Council also would ratify the performance evaluation of the Executive Director.

**Article V(A)(7)Administration Committee:** Proposed change for the Policy Committees as well as the Administration Committee to clarify that it is the Committee which elects its Chair and Vice Chair. Also now provides that if a vacancy occurs in the Chair, the Vice Chair automatically becomes the Chair and the Committee then elects a new vice chair. Additionally, Committee chairs may serve for two consecutive full terms.

Proposed change with regard to the selection of the Chairs and Vice-Chairs reflects the actual practice of the Committees.

**Article V (A)(10) County Transportation Commissions and Imperial Valley Association of Governments:** Proposed change which precludes the County Transportation Commissions and Imperial Valley Association of Governments from voting when a division of the house has been called.

This change is made to ensure that in the event of a division of the house vote is called, that the County votes are appropriately weighted.

Additional proposed change to clarify that representatives of the Commissions and Imperial Valley Association of Governments may serve as chair and vice chair of committees if they are also a locally elected official.

### **Article VIII - Finances**

**Article VIII C:** Proposed language regarding the Yearly Membership Assessment conforms to the action taken by the Regional Council and the General Assembly in 2001 and provides for an automatic adjustment in membership dues of a minimum of 1%.

As earlier indicated there are numerous other changes, which are editorial or reflect an updating of the Bylaws to conform to present practices. The above highlights the major substantive changes.

There were several concerns presented regarding **page 7 Article V (A)(1)(b) District Elections**. After a lengthy discussion alternative language was provided by Counsel to address this issue: District representatives for each District shall be elected by their peers from among locally elected city council members within a District by a majority vote of a quorum. The District shall tabulate the results at regular meeting of formally or informally constituted local government associations, division meetings of the League of California Cities and/or special meetings requested by all cities within a District. Notwithstanding the above, in the event a District is located a substantial distance from the location where the election is to take place, the member Cities in the District may permit that member City to participate in such election by video teleconferencing or other telephonic means pursuant to procedures adopted by the Regional Council.

It was MOVED (Kuiper). SECONDED (Dunlap) and UNANIMOUSLY APPROVED to approve the alternative language.

It was MOVED (Dixon), SECONDED (Kuiper) and UNANIMOUSLY APPROVED to approve the amended bylaws and forward to the General Assembly for consideration.

### **3.7 EXECUTIVE DIRECTOR'S REPORT**

Due to the discussion and adoption of the Regional Transportation Plan Mark Pisano gave a brief report on his a couple of his accomplishments for the month

On March 4<sup>th</sup> Mr. Pisano participated in Business, Transportation & Housing Agency Secretary Sunne McPeak's Southland Regional Economic Conversation at the Los Angeles Area Chamber. Issues discussed were housing needs and costs in Southern California and Insurance Commissioner John Garamendi discussed the State's Worker's Compensation Strategy.

In addition he gave a presentation on March 12<sup>th</sup> at a Joint Forum of the California Assembly Select Committee on Adult Education and the Assembly Committee on Jobs, Economic Development, and the Economy. The Forum was hosted by Assembly members Carol Liu and Mark Ridley-Thomas and titled "Bridging the Gap: Establishing a Framework for Economic Progress in Los Angeles County."

### **4.0 ACTION ITEMS**

#### **4.1 Administration Committee Report**

##### **4.1.1 Proposed Sublease – Eastside of the 9<sup>th</sup> floor space**

It was MOVED (Dixon), SECONDED (Young) and UNANIMOUSLY APPROVED to approve.

#### **4.2 Energy & Environment Committee (EEC) Report**

##### **4.2.1 Adopt Resolution #04- 451-1 to certify the Final Program Environmental Impact Report (PEIR) for the 2004 RTP and to adopt the Findings and Statement of Overriding Considerations, Mitigation Monitoring and Reporting Program**

It was MOVED (Young), SECONDED (Ridgeway) with 2 OPPOSITIONS (Yousefian, Dunlap) to waive reading and adopt Resolution 04-451-1 certifying the Final EIR for the 2004 RTP.

#### **4.3 Transportation & Communications Committee (TCC) Report**

##### **4.3.1 Approve Resolution #04-451-2 Adopting the 2004 Regional Transportation Plan (RTP)**

It was reported that on March 4, 2004, the TCC approved recommending the Final Draft 2004 RTP for adoption by the Regional Council. Mayor Garcia, Chair, stated that the TCC directed staff to address a number of issues in the Final Draft 2004 RTP to be presented to the RC. These include: 1) emphasize the need for continued cooperation between SCAG



and the County Transportation Commissions (CTC) beyond the plan adoption to fully address the TDM goals and funding issues; 2) clarify that allowing Long Combination Vehicles (LCV) is not endorsed in the 2004 RTP; 3) a footnote relative to Bob Hope Airport demand forecast; and 4) a footnote relative to potential commercial airports in Imperial county. A report was presented on each of the various components within the Plan by SCAG staff. After the report it was MOVED (Stanford), SECONDED (Alexander) to approve the 2004 RTP.

### **Public Comments**

Mayor Mike Gordon, El Segundo; Miles Mitchell, Los Angeles DOT; Denny Zane, Urgan Dimensions; Charlie Lombardo, Burbank, Glendale, Pasadena Airport; Richard Marcus OCTA; Ty Schuiling, SANBAG; Robert Farrell, Coastal San Pedro Neighborhood Council; Jennifer Jaroski; Californians for Safe Highways; Councilmember Michael Feinstein, Santa Monica; and Doug Kim, MTA presented comments in favor of the RTP. Several members from the public thanked SCAG their for their work on the RTP as well as their efforts to work consistently with the various agencies.

Councilmember Lowenthal and Tonia Reyes-Uranga, Long Beach presented comments with regard to the I-710 Corridor; User-fee backed capacity enhancement, or truck facilities; Preservation-protecting the infrastructure; Development Mitigation Strategy and Air Quality. Other Regional Council members presented comments regarding the Plan. After a lengthy discussion there was a call for the question.

It was MOVED (Lowe) SECONDED (Stanford) and UNANIMOUSLY APPROVED to close debate.

Listed below are the amendments offered by Regional Council to be incorporated into the Plan:

### **Long Combination Vehicles (LCVs)**

Amend LCV language to say: SCAG existing policy opposes LCV on non-designated facilities. LCVs include tractor-trailer combinations with two or more trailers that weigh more than eighty thousand pounds.

It was MOVED (Stanford), SECONDED (Garcia). There were 46 AYES with 6 (NOES). The motion passed.

### **Change date of implementation of the Orange Line to 2018**

It was MOVED (McCarthy), SECONDED (Brown). There were 8 AYES and 30 NOES. The motion failed.

### **Change target date from 2020 to 2012 for I-10 to Huntington Drive on 710 Gap Closure**

It was MOVED (Dixon), SECONDED (Talbot). There were 52 AYES. The motion was UNANIMOUSLY approved.

Change Bob Hope numbers within the Plan to 6.4 million

It was MOVED (Yousefian). No SECOND. Motion dies for lack of second.

US 101 Corridor to be called El Camino Real Corridor

It was MOVED (Washburn), SECONDED (Dixon). There were 52 AYES and 0 NOES. The motion was UNANIMOUSLY approved.

Keeping transportation bond issues at 2/3 vote and not the recommended 55% that is currently in the RTP

It was MOVED (Buckley), SECONDED (Ashley). There were 16 AYES and 21 NOES. The motion failed.

I-710 Corridor – Accept language as presented by the City of Long Beach

It was MOVED (Lowe), SECONDED (Dixon). There were 51 AYES and 1 NOE (Brown) to approve. The motion passed

2030 Implementation date to 2020

It was MOVED (Lowenthal) and SECONDED (Dixon). There were 52 AYES and 0 NOES. The motion UNANIMOSLY approved.

**Main Motion**

Mayor Garcia moved that Resolution 04-451-2 be approved adopting the 2004 RTP including the amendments. It was MOVED (Stanford) and SECONDED (Dixon, Alexander). There were 50 AYES and 2 NOES (Yousefian & Dunlap)

4.4.2 Approval of SCAG's participation in Regional Goods Movement and Advocacy Project

Mayor Garcia stated that staff is seeking approval from the Regional Council to participate in the formation and activities of a joint venture (JV) working group. This group is being established and funded by the 5-county MetroLink Transportation CEO's representing the five Southern California Regional Transportation Planning Agencies (with SCAG representing regional interests inclusive of IVAG), the Southern California Regional Rail Authority, and the Los Angeles County Economic Development Corporation. Private-sector partners demonstrating a

willingness to put forth and financially support project proposals will also be eligible to participate in the JV.

It was MOVED (Lowe), SECONDED (Brown, Bates) and UNANIMOUSLY APPROVED.

#### 4.5 **Communications Task Force Report**

Councilmember McCarthy, stated that the Task Force reviewed the nominees for the Hagman Award and selected John Greenwood, nomination submitted by Mayor Toni Young. Mr. Greenwood was a primary designer of Leadership Southern California, a grass roots regional education program. He has long been involved with Coro Southern California as a Senior Trainer, and designed a similar program specifically for Ventura County called the Ventura County Leadership Academy, which is run in conjunction with United Way. He also has served the Harbor Area Gang Alternatives Program, Habitat for Humanity, and the Rotary Club of San Pedro. John also served many years as an elected member of the LAUSD Board of Education.

It was MOVED (McCarthy), SECONDED (Young) and UNANIMOUSLY APPROVED to approve John Greenwood as Hagman Award recipient.

It was also reported that staff is creating an electronic newsletter, which will debut prior to the end of the fiscal year. This will take the place of the Regional Vision newsletter that had been published quarterly. The new electronic newsletter, to be called **eVision**, will be coming more frequently with lots of timely information in a reader-friendly format.

In addition staff is currently developing a program of office enhancements, to make better meeting space as well as the space where staff works. These phased enhancements, especially of public spaces, are based on two major themes: SCAG leadership and vision, and honoring members. The improvements will visually say more about who SCAG is and what it does, as well as showcase SCAG initiatives.

### 5.0 **INFORMATION ITEMS**

#### 5.1 **Monthly Financial Report**

Bert Becker, CFO presented a brief overview on the monthly financial report. The report contains preliminary financial data related to SCAG's cash flow, as well as budget and expense data for the eight months ended February 2004.

### 6.0 **FUTURE AGENDA ITEMS**

Any committee members desiring to place items on a future agenda may make such request. Comments should be limited to three minutes.

## **7.0     LEGAL COUNSEL REPORT**

### **7.1     Closed Session**

There was nothing to report out of closed session at this time.

- Morrison v. SCAG  
Conference with Legal Counsel Government Code section 54956.9(a)  
Morrison v. Southern California Association of Governments et al. Superior Court,  
Los Angeles County, Case No. BC 312066
  
- Deanna Wetherbee-Distel et al. vs. City of Riverside; County of Riverside; Riverside County Transportation Commission; Riverside County Flood Control and Water Conservation District; Southern California Association of Governments; Riverside Transit Agency; Western Municipal Water District  
  
Conference with Legal Counsel re: pending litigation pursuant to California Government Code Section 54956.9
  
- HDR Appeal  
Conference with Legal Counsel – anticipated litigation  
Significant exposure to litigation pursuant to California Government Code Subdivision C §54956.9 (one potential case)
  
- SCAG v. HCD & BT&H  
Conference with Legal Counsel - existing litigation to be heard in closed session in pursuant to California Government Code Section §54956.9(a)

## **9.0     ANNOUNCEMENTS**

There were no announcements presented at this time.

## **10.0    ADJOURNMENT**

There being no further business the meeting adjourned at 2:00 p.m. The next meeting is scheduled in conjunction with the General Assembly at the Hyatt Regency Los Angeles on May 6, 2004.

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Mark Pisano, Executive Director